IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 16009 of 1995

Between:

M/s.Rollatainers Limited, rep.by its Factory Manager
S.Bagchi, S/o.late Bagchi, age 57 years, Factory at

Isnapur, Isnapur Mandal, Medak District.

..... PETITIONER

AND

1 The Chairman, A.P.S.E.B.,
Vidyuthsoudha, Khairatabad, Hyderabad
2 The Asst. Accounts Officer, Electricity Revenue Office,
A.P.S.E.B., Sangareddy, Medak District.
3 The Divisional Engineer Operations,
A.P.S.E.B., Sangareddy, Medak District.

..RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ, order or direction the nature of a writ: a) quashing the impugned demand notice No.8471, Dt.1/7/1995 relating to June-95 issued by the respondent No.2 as invalid and unsustainable; b) directing the respondents to accept Rs.14,203/- the charges for consumption of electricity of the month of June-95 as per the impugned bill; c) to grant any other relief, or reliefs that the petitioner is entitled and d) award costs to the petitioner

Counsel for the Petitioner:MR.B.PRAYAGA MURTHY

Counsel for the Respondents: MRS.M.VINOBHA DEVI (SC FOR APTRANSCO)

The Court made the following :

-

-

-

O R D E R :

The petitioner company is availing power supply from the respondents. For the month of July, 1995, second respondent sent a Bill No.8471, dated 1-7-1995 demanding the payment of Rs.1,28,547/-. This is challenged in the writ petition as illegal and arbitrary.

A bare perusal of the impugned Bill would show that for the relevant period, the previous reading is 7,552 whereas the present reading is 7870. The bill, according to the learned counsel for the petitioner, would have been only for 322 units. But in the bill it was shown that the petitioner consumed 6,360 units. Further, as rightly pointed out by the learned counsel for the petitioner, in the bill, though every item is shown separately, under the category of 'Others', the petitioner was asked to pay Rs.1,14,344/-. When this was brought to the notice of the learned Sanding Counsel for A.P.TRANSCO, no proper explanation is given.

Therefore, the writ petition is allowed. It shall be open to second respondent to verify the particulars of the bill again and issue a fresh bill to the petitioner for the relevant period. No costs.

_____

(V.V.S.RAO, J.)

Dt.14-07-2004.

Msr.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Chairman, A.P.S.E.B.,
Vidyuthsoudha, Khairatabad, Hyderabad
2 The Asst. Accounts Officer, Electricity Revenue Office,
A.P.S.E.B., Sangareddy, Medak District.
3 The Divisional Engineer Operations,
A.P.S.E.B., Sangareddy, Medak District.

4. 2CD copies

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this Wednesday, the Fourteenth Day of July, Two thousand and four.

HON’BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.16009 of 1995

Dt.14-07-2004.

(Msr)